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MARTIN L. WIENER, ESQ. 2008

March 13, 2008

MEMO ENCLOSED

Via Facsimile

Judge Charles L. Brieant
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601-4150

*File by 3/28/08, returnable
5/2/08. If no motion is filed
149.000 - 5/3/08 if no motion is filed.
March 17, 2008*
Charles L. Brieant
USDS

Re: Liberty Mutual Insurance Company v. Columbus Construction Corp., Canal
Asphalt, Inc. and August M. Nigro
Case No.: 07-CV-2857 (CLB)

Dear Judge Brieant:

This firm represents plaintiff Liberty Mutual Insurance Company in the above-referenced action. As we previously advised Your Honor, the parties have agreed in principle to settle this action. Liberty Mutual has asked the defendants for additional financial information, however, and the settlement cannot be finalized until Liberty Mutual receives and reviews that additional information. We apologize for this delay.

The Court previously revised the briefing schedule in connection with plaintiff's intended motion for summary judgment. Presently, if the case is not settled, Liberty Mutual must file its motion on or before March 14, 2008; the return date is April 25, 2008. While counsel for all parties believe that no motion will be necessary, we request that the Court suspend or extend

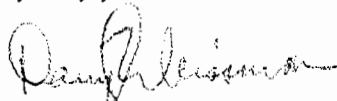
WOLFF & SAMSON PC

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the briefing schedule so that the parties may concentrate their efforts on finalizing the terms of the settlement.

Thank your for your attention to our request, to which Mr. Zinner (who represents the defendants) has consented.

Very truly yours,



DARRYL WEISSMAN

DW:lb

cc. Stanley S. Zinner, Esq. (via fax)
Douglas J. Wills, Esq. (via fax)